

**Louisville Metro Council
Final Agenda**

**METRO COUNCIL SUMMARY ONLY
DETAILED MINUTES TO FOLLOW ON THE 10/22/09 COUNCIL AGENDA**

<u>Members Roll Call:</u>	(D) - Judy Green (1)	(D) - Barbara Shanklin (2)	(D) - Mary C. Woolridge (3)
	(D) - David Tandy (4)	(D) - Cheri Bryant Hamilton (5)	(D) - George Unseld (6)
	(R) - Kenneth C. Fleming (7)	(D) - Tom Owen (8)	(D) - Tina Ward-Pugh (9)
	(D) - Jim King (10)	(R) - Kevin Kramer (11)	(D) - Rick Blackwell (12)
	(D) - Vicki Aubrey Welch (13)	(D) - Robert Henderson (14)	(D) - Marianne Butler (15)
	(R) - Kelly Downard (16)	(R) - Glen Stuckel (17)	(R) - Jon Ackerson (18)
	(R) - Hal Heiner (19)	(R) - Stuart Benson (20)	(D) - Dan Johnson (21)
	(R) - Robin Engel (22)	(R) - James Peden (23)	(D) - Madonna Flood (24)
	(R) - Doug Hawkins (25)	(D) - Brent Ackerson (26)	

Meeting Date: 10/8/2009

Meeting Time: 6:00 PM

Location: 601 W. Jefferson Street
3rd Floor, City Hall
Louisville, KY 40202

President: David W. Tandy (4)

Pro-Tem: Dan Johnson (21)

A Quorum was established

Councilman Owen asked for a point of personal privilege to request a Moment of Silence for the passing of Deputy Sheriff Glen Meredith.

Address to Council

1- [October 8 List](#)

There was 1 address to the Council.

[Introduction of Page: Councilman Owen introduces his page, Sofia Labrecque.](#)

[Guests: CW Green introduces Dr. Sandra E. Brooks. CM Engel welcomes Mr. Mark Kruger, from NBC's "Biggest Loser" television program.](#)

[Special Proclamation - CW Woolridge introduced a Breast Cancer Awareness Proclamation](#)

Council Minutes:

2- [Regular Council Minutes- September 22, 2009](#)

Motion to approve made by Kelly Downard and seconded by Mary C. Woolridge.

The Committee Minutes were approved as written.

Committee Minutes

- 3- [Regular: Appropriations, NDFs and CIFs - October 1, 2009](#)
- 4- [Regular: Budget - September 30, 2009](#)
- 5- [Regular: Committee of the Whole - September 22, 2009](#)
- 6- [Regular: Committee on Committees - October 6, 2009](#)
- 7- [Regular: Contracts and Appointments - September 30, 2009](#)
- 8- [Regular: Labor & Economic Development - October 1, 2009](#)
- 9- [Regular: Planning/Zoning, Land Design & Development - September 29, 2009](#)
- 10- [Regular: Transportation/Public Works - October 1, 2009](#)

Motion to approve made by Marianne Butler and seconded by Mary C. Woolridge.

The Committee Minutes were approved as written.

Communication From Mayor - Appointments to the Louisville Water Company, Ethics Commission and TARC.

- 11- [Louisville Water Company](#)
- 12- [Ethics Commission](#)
- 13- [TARC](#)

The Clerk read the Mayor's communications into the record. Those that require Council approval were assigned to the Contracts and Appointments Committee

Consent Calendar:

Consent Calendar consists of items 14 through 30. The Clerk read them into the record.

- 14- [O-162-09-09 AN ORDINANCE CLOSING A PRIVATE ROAD, JEREMIE COURT, LOCATED ON THE EAST SIDE OF NATIONAL TURNPIKE, 450 FEET SOUTH OF THE OUTER LOOP, FROM ITS INTERSECTION WITH NATIONAL TURNPIKE, RUNNING EAST 199.97 FEET, CONTAINING 11.965 SQUARE FEET, AND BEING IN LOUISVILLE METRO \(CASE NO. 12589\). \(Ordinance 150, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen
- 15- [AP093009GH APPOINTMENT OF GEORGE HIGGINS TO THE CITIZENS COMMISSION ON POLICE ACCOUNTABILITY FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BOARD. TERM EXPIRES MARCH 27, 2013. \(Approved\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
- 16- [AP093009KH APPOINTMENT OF KEVIN HORNBAC TO THE DIXIE SUBURBAN FIRE](#)

PROTECTION DISTRICT BOARD. TERM EXPIRES JUNE 30, 2013. (Approved)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments

17-

AP091609KB APPOINTMENT OF KRISTIN BOOKER TO THE PARC BOARD, TERM EXPIRES JUNE 30, 2011. (Approved)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments

18-

R-185-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – (UNIVERSITY OF LOUISVILLE RESEARCH FOUNDATION, INC. - \$59,500.00). (Resolution 180, Series 2009)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
Primary Sponsor: Mary C. Woolridge

19-

R-188-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – (UNIVERSITY OF LOUISVILLE RESEARCH FOUNDATION, INC. - \$20,000.00). (Resolution 181, Series 2009)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
Primary Sponsor: Madonna Flood

20-

R-191-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (KENTUCKY COMMUNITY AND TECHNICAL COLLEGE SYSTEM/UNIVERSITY OF KENTUCKY COMMUNITY COLLEGE SYSTEM FOR JEFFERSON COMMUNITY COLLEGE - \$85,000.00). (Resolution 182, Series 2009)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
Primary Sponsor: Jim King

21-

R-187-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – (University of Kentucky Research Foundation- \$55,000.00). (Resolution 183, Series 2009)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
Primary Sponsor: Madonna Flood

22-

R-193-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NEW NONCOMPETITIVELY NEGOTIATED PROFESSIONAL SERVICE CONTRACT - (CHILTON & MEDLEY - \$35,000.00) (Resolution 184, Series 2009)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
Primary Sponsor: Madonna Flood

23-

[R-190-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED PROFESSIONAL SERVICE CONTRACT – SARAH FRITSCHNER D/B/A BETTER WORLD PR- \\$60,000.00. \(Resolution 185, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
Primary Sponsor: Tom Owen

24-

[R-194-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT – KENTUCKY WORLD TRADE CENTER INC. - \\$75,000.00. \(Resolution 186, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
Primary Sponsor: Marianne Butler

25-

[R-195-09-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - \(LOUISVILLE AREA CHAMBER OF COMMERCE INC D/B/A GREATER LOUISVILLE INC. - \\$1,122,600.00\) \(Resolution 187, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Contracts and Appointments
Primary Sponsor: Marianne Butler

26-

[R-183-09-09 A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE ENTERING INTO AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET CONCERNING A \\$960,000.00 GRANT FOR A OLMSTED PARKWAYS MULTIUSE PATH SYSTEM PROJECT. \(Resolution 188, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Transportation/Public Works
Primary Sponsor: Tom Owen

27-

[R-184-09-09 A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE ENTERING INTO AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET CONCERNING A \\$515,200.00 GRANT FOR AN OLMSTED PARKWAYS SHARED USE PATH SYSTEM PROJECT. \(Resolution 189, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Transportation/Public Works
Primary Sponsor: Tom Owen

28-

[R-189-09-09 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A FEDERAL U.S. DEPARTMENT OF LABOR WIRED GRANT FROM THE LINCOLN TRAIL WORKFORCE INVESTMENT BOARD, THROUGH THE LINCOLN TRAIL AREA DEVELOPMENT DISTRICT, IN THE AMOUNT OF \\$60,000 FOR THE WIRED65 BUILD LOUISVILLE'S LOCAL FOOD ECONOMY PROGRAM TO BE USED BY THE LOUISVILLE METRO ECONOMIC DEVELOPMENT DEPARTMENT. \(Resolution 190, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Labor & Economic Development
Primary Sponsor: Madonna Flood

29-

[R-182-09-09 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A STATE GRANT FROM THE KENTUCKY AGRICULTURAL DEVELOPMENT BOARD IN THE AMOUNT OF \\$90,000 FOR A PUBLIC INTEREST BROKER TO INCREASE DIRECT FARMER ACCESS TO LOUISVILLE FOOD MARKETS TO BE USED BY THE LOUISVILLE METRO ECONOMIC DEVELOPMENT DEPARTMENT. \(Resolution 191, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Labor & Economic Development
Primary Sponsor: Tom Owen

30-

[O-160-09-09 AN ORDINANCE APPROPRIATING \\$13,500 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN FOLLOWING MANNER: \\$2,500 FROM DISTRICT 9; \\$3,000 FROM DISTRICT 8; \\$1,500 EACH FROM DISTRICTS 15, 10, 4 AND 14; AND \\$1,000 EACH FROM DISTRICTS 6 AND 1, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE LOUISVILLE COMMUNITY DESIGN CENTER, INC. DBA CENTER FOR NEIGHBORHOODS SCHOLARSHIPS AND A METRO COUNCIL ANNUAL MEMBERSHIP SUBSCRIPTION. \(Ordinance 151, Series 2009\)](#)

Status: On Council Agenda - Consent Calendar
Committee: Appropriations, NDFs and CIFs
Primary Sponsor:

Tina Ward-Pugh
Tom Owen
Marianne Butler
Jim King
David Tandy
Robert Henderson
George Unseld
Judy Green

Motion to approve made by Mary C. Woolridge and seconded by Kelly Downard.

The Consent Calendar passed.

VOTING RESULTS: For 26; Against: 0; Abstain: 0; Absent: 0

For: Judy Green, David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Kevin Kramer, Robert Henderson, Glen Stuckel, Stuart Benson, James Peden, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Jon Ackerson, Brent Ackerson

Against: (None)

Abstain: (None)

Absent: (None)

Old Business:

31-

[O-159-09-09 AN ORDINANCE APPROPRIATING \(\\$6,000\) A TOTAL OF \\$9,000 WITH \(\\$3,000 APIECE\) \\$6,000 COMING FROM THE DISTRICT 11 NEIGHBORHOOD DEVELOPMENT FUND AND \\$3,000 COMING FROM THE DISTRICT 26 NEIGHBORHOOD DEVELOPMENT FUND THROUGH THE OFFICE OF MANAGEMENT AND BUDGET TO THE HIKES POINT AREA BUSINESS ASSOCIATION, INC. FOR COSTS ASSOCIATED WITH THE EXPO BEING HELD ON](#)

[SEPTEMBER 12, 2009 \[AS AMENDED\]](#). (Ordinance 152, Series 2009)

Status: On Council Agenda - Old Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Brent Ackerson
Kevin Kramer

Motion to approve made by James Peden and seconded by Kelly Downard.

This Ordinance as Amended in Committee passed.

VOTING RESULTS: For: 26; Against: 0; Abstain: 0; Absent: 0

For: Judy Green, David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Kevin Kramer, Robert Henderson, Glen Stuckel, Stuart Benson, James Peden, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Jon Ackerson, Brent Ackerson

Against: (None)

Abstain: (None)

Absent: (None)

32-

[O-166-09-09 AN ORDINANCE APPROPRIATING \(\\$2,500\) A TOTAL OF \\$4,500 WITH \\$2,500 COMING FROM THE DISTRICT 26 NEIGHBORHOOD DEVELOPMENT FUND, AND \\$2,000 FROM THE DISTRICT 1 NEIGHBORHOOD DEVELOPMENT FUND ,THROUGH THE OFFICE OF MANAGEMENT AND BUDGET TO EXPLOITED CHILDREN'S HELP ORGANIZATION, INC. \(ECHO\) FOR CHILD ABUSE PREVENTION PROGRAMMING, WHICH PREVIOUSLY RECEIVED \\$4,450 FROM THE APPROPRIATIONS COMMITTEE ON SEPTEMBER 17, 2009 \[AS AMENDED\]](#).
(Ordinance 153, Series 2009)

Status: On Council Agenda - Old Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Brent Ackerson
Judy Green

Motion to approve made by Mary C. Woolridge and seconded by James Peden.

Motion to Amend by rescinding the Amendment made in Committee which added \$2,000 from District one.

The Floor Amendment passed

This Ordinance as Amended on the Floor passed bringing the total back down to \$2,500.

VOTING RESULTS: For: 26; Against: 0; Abstain: 0; Absent: 0

For: Judy Green, David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Kevin Kramer, Robert Henderson, Glen Stuckel, Stuart Benson, James Peden, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Jon Ackerson, Brent Ackerson

Against: (None)

Abstain: (None)

Absent: (None)

33-

[O-158-09-09 AN ORDINANCE APPROPRIATING \\$7,000 FROM DISTRICT 24 NEIGHBORHOOD DEVELOPMENT FUNDS \(NDF\), \(THROUGH THE OFFICE OF MANAGEMENT AND BUDGET,\) TO](#)

[THE LOUISVILLE METRO ECONOMIC DEVELOPMENT DEPARTMENT FOR \(THE OKOLONA BUSINESS & PROFESSIONAL ASSOCIATION, INC. FOR\) WATER, ELECTRIC AND ADDITIONAL CHRISTMAS DECORATIONS AT LONE OAK PARK, \(UNDER THE GUIDANCE OF BRIGHTSIDE\). \[AS AMENDED\] \(Ordinance 154, Series 2009\)](#)

Status: On Council Agenda - Old Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Madonna Flood

Motion to approve made by Kelly Downard and seconded by James Peden.

This Ordinance as Amended in Committee passed.

VOTING RESULTS: For: 26; Against: 0; Abstain: 0; Absent: 0

For: Judy Green, David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Kevin Kramer, Robert Henderson, Glen Stuckel, Stuart Benson, James Peden, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Jon Ackerson, Brent Ackerson

Against: (None)

Abstain: (None)

Absent: (None)

34-

[AP093009DA APPOINTMENT OF DAVID ALLGOOD TO THE CITIZENS COMMISSION ON POLICE ACCOUNTABILITY FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BOARD. TERM EXPIRES MARCH 27, 2013. \(Approved\)](#)

Status: On Council Agenda - Old Business
Committee: Contracts and Appointments

Motion to approve made by Kelly Downard and seconded by Mary C. Woolridge.

A Roll Call vote was taken so Vicki Aubrey Welch could Abstain.

This Appointment was Approved with one Abstention.

VOTING RESULTS: For: 25; Against: 0; Abstain: 1; Absent: 0

For: Judy Green, David Tandy, Kenneth C. Fleming, Jim King, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Kevin Kramer, Robert Henderson, Glen Stuckel, Stuart Benson, James Peden, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Jon Ackerson, Brent Ackerson

Against: (None)

Abstain: Vicki Aubrey Welch

Absent: (None)

35-

[O-163-09-09 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO R5-A MULTI-FAMILY RESIDENTIAL ON PROPERTY LOCATED AT 8113 AND 8117 CEDAR CREEK ROAD, CONTAINING A TOTAL OF 10.32 ACRES, AND BEING IN LOUISVILLE METRO \(CASE NO. 12253\). \(Ordinance 155, Series 2009\)](#)

Status: On Council Agenda - Old Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

Motion to approve made by Kelly Downard and seconded by Mary C. Woolridge.

This Ordinance passed.

VOTING RESULTS: For: 25; Against: 0; Abstain: 0; Absent: 1

For: Judy Green, David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Kevin Kramer, Robert Henderson, Glen Stuckel, Stuart Benson, James Peden, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Jon Ackerson, Brent Ackerson

Against: (None)

Abstain: (None)

Absent: Dan Johnson

36-

[O-164-09-09 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 9413, 9417, 9421 AND 9605 OLD BARDSTOWN ROAD AND TAX BLOCK 61, LOT 117, CONTAINING A TOTAL OF 8.6 ACRES, AND BEING IN LOUISVILLE METRO \(CASE NO. 11947\). \(AS AMENDED\)](#) (**Ordinance 156, Series 2009**)

Status: On Council Agenda - Old Business

Committee: Planning/Zoning, Land Design & Development

Primary Sponsor: Tom Owen

Motion to approve made by Kelly Downard and seconded by James Peden.

This Ordinance as Amended in Committee passed.

VOTING RESULTS: For: 25; Against: 0; Abstain: 0; Absent: 1

For: Judy Green, David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Kevin Kramer, Robert Henderson, Glen Stuckel, Stuart Benson, James Peden, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Jon Ackerson, Brent Ackerson

Against: (None)

Abstain: (None)

Absent: Dan Johnson

37-

[O-165-09-09 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 9205 OLD BARDSTOWN ROAD, CONTAINING A TOTAL OF 11.05 ACRES, AND BEING IN LOUISVILLE METRO \(CASE NO. 11946\). \(AS AMENDED\)](#) (**Ordinance 157, Series 2009**)

Status: On Council Agenda - Old Business

Committee: Planning/Zoning, Land Design & Development

Primary Sponsor: Tom Owen

Motion to approve made by Mary C. Woolridge and seconded by James Peden.

This Ordinance as Amended in Committee passed.

VOTING RESULTS: For: 25; Against: 0; Abstain: 0; Absent: 1

For: Judy Green, David Tandy, Kenneth C. Fleming, Jim King, Vicki Aubrey Welch, Kelly Downard, Hal Heiner, Robin Engel, Doug Hawkins, Barbara Shanklin, Cheri Bryant Hamilton, Tom Owen, Kevin Kramer, Robert Henderson, Glen Stuckel, Stuart Benson, James Peden, Mary C. Woolridge, George Unseld, Tina Ward-Pugh, Rick Blackwell, Marianne Butler, Dan Johnson, Madonna Flood, Jon Ackerson, Brent Ackerson

Against: (None)
Abstain: (None)
Absent: Dan Johnson

- 38- [O-161-09-09 AN ORDINANCE AMENDING ORDINANCE NO. 90, SERIES 2009, RELATING TO THE CAPITAL BUDGET FOR FISCAL YEAR 2009-10 FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BY TRANSFERRING \\$3,000,400 OF AMERICAN RECOVERY AND REINVESTMENT ACT \(ARRA\) FUNDING BETWEEN CAPITAL PROJECTS.](#)

Status: On Council Agenda - Old Business
Committee: Budget
Primary Sponsor: Jim King

Without objection, this item was returned to Committee.

- 39- [O-6-01-09 AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON NEW DEVELOPMENTS WHICH INCLUDE THE RETAIL SALES OF GASOLINE. \(Reintroduced 7-16-09\)](#)

Status: On Council Agenda - Old Business
Committee: Labor & Economic Development
Primary Sponsor: Dan Johnson

This Ordinance Died due to the Sponsor withdrawing his Sponsorship.

New Business

The Clerk read the New Business and their respective Committee assignments into the record.

- 40- [O-167-10-09 AN ORDINANCE APPROPRIATING \\$15,000 FROM DISTRICT 5 NEIGHBORHOOD DEVELOPMENT FUNDS \(NDF\), TO METRO PARKS DEPARTMENT FOR ACTIVITIES IN DISTRICT 5 PARKS.](#)

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Cheri Bryant Hamilton

- 41- [O-171-10-09 AN ORDINANCE APPROPRIATING \\$13,800 FROM NEIGHBORHOOD DEVELOPMENT FUNDS \(NDF\) IN THE FOLLOWING MANNER: \\$4,600 EACH FROM DISTRICTS 13, 15, AND 21, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO NEWCITIES INSTITUTE, INC. FOR A STUDY OF THE NEW CUT ROAD/TAYLOR BOULEVARD CORRIDOR PLAN.](#)

Status: On Council Agenda - New Business
Committee: Appropriations, NDFs and CIFs
Primary Sponsor: Vicki Aubrey Welch
Marianne Butler
Dan Johnson

- 42- [O-173-10-09 AN ORDINANCE APPROPRIATING \\$6,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS AS FOLLOWS: \\$5,000 FROM DISTRICT 22; \\$500 FROM DISTRICT 10; \\$500 FROM DISTRICT 13; AND \\$250 FROM DISTRICT 1, THROUGH THE DEPARTMENT OF MANAGEMENT AND BUDGET, TO LIFEHOUSE, INC. FOR PROGRAM OPERATIONS.](#)

Status: On Council Agenda - New Business

Committee: Appropriations, NDFs and CIFs

Primary Sponsor:

Judy Green
Robin Engel
Jim King
Vicki Aubrey Welch

43-

[O-169-10-09 AN ORDINANCE AMENDING ORDINANCE NO. 91, SERIES 2009, RELATING TO THE FISCAL YEAR 2009-10 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \\$20,000 OF FUNDING FROM THE NEIGHBORHOOD DEVELOPMENT FUND \(DISTRICT 21\) TO THE METRO COUNCIL GENERAL OPERATIONS \(DISTRICT 21\).](#)

Status: On Council Agenda - New Business

Committee: Budget

Primary Sponsor: Dan Johnson

44-

[O-170-10-09 AN ORDINANCE AMENDING ORDINANCE NO. 91, SERIES 2009, RELATING TO THE FISCAL YEAR 2009-10 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \\$15,000 OF FUNDING FROM THE NEIGHBORHOOD DEVELOPMENT FUND \(DISTRICT 4\) TO THE METRO COUNCIL GENERAL OPERATIONS \(DISTRICT 4\).](#)

Status: On Council Agenda - New Business

Committee: Budget

Primary Sponsor: David Tandy

45-

[O-175-10-09 AN ORDINANCE DESIGNATING THE RECOVERY ZONE FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS IT RELATES TO THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 \("ARRA"\).](#)

Status: On Council Agenda - New Business

Committee: Budget

Primary Sponsor: Jim King

46-

[O-178-10-09 AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AUTHORIZING THE ISSUANCE OF CERTAIN QUALIFIED ENERGY CONSERVATION BONDS OF THE METRO GOVERNMENT AUTHORIZING THE ISSUANCE OF SUCH BONDS TO FINANCE THE COSTS OF PROJECTS FOR QUALIFIED CONSERVATION PURPOSES; SETTING FORTH THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED AND SOLD; DEFINING AND PROVIDING FOR THE RIGHTS OF THE HOLDERS OF THE BONDS AND PROVIDING FOR THE APPLICATION OF THE PROCEEDS THEREOF; AND TAKING OTHER RELATED ACTION.](#)

Status: On Council Agenda - New Business

Committee: Budget

Primary Sponsor: Jim King

47-

[O-179-10-09 AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AMENDING ORDINANCE NO. 34, SERIES 2009 AUTHORIZING AND RATIFYING ACTIONS IN THE STRUCTURING, STAFFING, PLANNING AND PREPARATION OF ALL DOCUMENTATION, INCLUDING AN ESCROW AGREEMENT, IF APPLICABLE, FOR THE ISSUANCE OF CERTAIN \(i\) GENERAL OBLIGATION \[REFUNDING\] BONDS OR GENERAL OBLIGATION \[REFUNDING\] NOTES AND/OR \(ii\) GENERAL OBLIGATION BONDS OR TAXABLE GENERAL OBLIGATION BONDS \(BUILD AMERICA BONDS\) AND/OR \(iii\) TAXABLE GENERAL OBLIGATION BONDS \(RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS\) OF THE METRO](#)

GOVERNMENT IN ONE OR MORE SERIES; AUTHORIZING THE ISSUANCE OF SUCH BONDS TO (i) FINANCE THE COSTS OF NEW MONEY PROJECTS AND (ii) REFINANCE ALL OR A PORTION OF THE ISSUER'S OUTSTANDING GENERAL OBLIGATION BOND ANTICIPATION NOTES, SERIES 2008A AS FURTHER SET FORTH HEREIN; SETTING FORTH THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED AND SOLD; DEFINING AND PROVIDING FOR THE RIGHTS OF THE HOLDERS OF THE BONDS AND PROVIDING FOR THE APPLICATION OF THE PROCEEDS THEREOF; AND TAKING OTHER RELATED ACTION.

Status: On Council Agenda - New Business
Committee: Budget
Primary Sponsor: Jim King

48-

R-196-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – GRESHAM SMITH & PARTNERS - \$50,000.00.

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Marianne Butler

49-

R-197-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – GRESHAM SMITH & PARTNERS - \$100,000.00.

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Cheri Bryant Hamilton

50-

R-199-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT – (DR. RACHEL A. BROWN D.V.M. - \$100,000.00).

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: Robert Henderson

51-

R-201-10-09 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING AMENDMENT TO A NONCOMPETITIVELY NEGOTIATED PROFESSIONAL SERVICE CONTRACT – GODSEY ASSOCIATES ARCHITECTS, INC. - \$153,370.00.

Status: On Council Agenda - New Business
Committee: Contracts and Appointments
Primary Sponsor: David Tandy

52-

R-203-10-09 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A DONATION IN THE AMOUNT OF \$10,000.00 FROM NESTLE PURINA PETCARE COMPANY AND THE KROGER COMPANY TO ANIMAL SERVICES FOR OPERATIONAL SUPPORT.

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: Robert Henderson

53-

[O-174-10-09 AN ORDINANCE APPROVING THE FIFTEENTH SUPPLEMENTAL SEWER AND DRAINAGE REVENUE BOND AUTHORIZING RESOLUTION ADOPTED BY THE BOARD OF THE LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT \(HEREINAFTER "THE DISTRICT"\) WHICH AUTHORIZES THE ISSUANCE OF THE DISTRICT'S SEWER AND DRAINAGE SYSTEM REVENUE BONDS, IN ONE OR MORE SERIES, \(HEREINAFTER THE "CURRENT BONDS"\) AND PROVIDING FOR THE ADVERTISING, PUBLIC, COMPETITIVE SALE OF SAID BONDS IN AN AMOUNT NOT TO EXCEED \\$180,000,000.00](#)

Status: On Council Agenda - New Business
Committee: Labor & Economic Development
Primary Sponsor: Jim King

54-

[O-168-10-09 AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCES \(LMCO\) 32.730 RELATING TO THE CRIMINAL JUSTICE COMMISSION.](#)

Status: On Council Agenda - New Business
Committee: Public Safety
Primary Sponsor: Vicki Aubrey Welch

55-

[R-202-10-09 A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE ENTERING INTO AN AGREEMENT WITH THE UNITED STATES DEPARTMENT OF ENERGY CONCERNING A \\$190,300.00 GRANT FOR PROJECT CONCERNING ENERGY EFFICIENCY LIGHTING](#)

Status: On Council Agenda - New Business
Committee: Public Safety
Primary Sponsor: Tom Owen

56-

[R-200-10-09 A RESOLUTION AUTHORIZING THE MAYOR'S SIGNATURE ENTERING INTO AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET CONCERNING A \\$231,738.00 GRANT FOR BITUMINOUS RESURFACING ON VARIOUS COUNTY ROADS.](#)

Status: On Council Agenda - New Business
Committee: Transportation/Public Works
Primary Sponsor: Vicki Aubrey Welch

57-

[O-177-10-09 AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE-FAMILY RESIDENTIAL TO C-M COMMERCIAL MANUFACTURING ON PROPERTY LOCATED AT 8012 NATIONAL TURNPIKE, CONTAINING A TOTAL OF 1.15 ACRES, AND BEING IN LOUISVILLE METRO \(CASE NO. 12085\).](#)

Status: On Council Agenda - New Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: Tom Owen

58-

[O-176-10-09 AN ORDINANCE AMENDING THE PROVISIONS OF CHAPTER 153 OF LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES \(LMCO\) RELATING TO THE TIME AND LOCATION OF PLANNING COMMISSION AND BOARD OF ZONING ADJUSTMENT HEARINGS.](#)

Status: On Council Agenda - New Business
Committee: Planning/Zoning, Land Design & Development
Primary Sponsor: James Peden

59-

[R-208-10-09 A RESOLUTION CALLING ATTENTION TO THE PERVASIVE AND LIFE THREATENING CRIME OF DOMESTIC VIOLENCE.](#)

Adjournment

Without Objection the Council Meeting Adjourned at 7:13 P.M.

Announcements

The following Council Members made announcements: CM Hamilton, CM Welch, CM Engel, and CM Owen